GOVERNMENT OF ANDHRA PRADESH
ABSTRACT

Public Services – Prisons Department - Sri K. Ghane Naik, Additional Superintendent of Jails working as Superintendent, District Jail, Kurnool – Exhibited grave supervisory lapse – Departmental Proceedings under Rule 20 of AP Civil Services (Classification, Control & Appeal) Rules, 1991 – Articles of charge - Issued.

HOME (PRISONS & FIRE SERVICES) DEPARTMENT

G.O. Rt.No.190 **Dated:14.02.2023**
Read the following:-

From Director General of Prisons and Correctional Services, Andhra Pradesh, vide Lr. No. Estt-2/127/2022, dated.17-11-2022.

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ORDER:-

Whereas Sri K. Ghane Naik, Additional Superintendent of Jails working as Superintendent (FAC), District Jail, Kurnool has exhibited grave supervisory lapse which facilitated one Remand Prisoner No.7193 by name Nallabothula Kulai @ Nani to try and succeed to escape from District Jail, Kurnool on 17-03-2022 at about 07-40 A.M. Hence it is proposed to hold an inquiry against Sri K. Ghane Naik, Additional Superintendent of Jails working as Superintendent (FAC), District Jail, Kurnool in accordance with the procedure laid down in Rule 20 of Andhra Pradesh Civil Services (Classification, Control & Appeal) Rules, 1991.

2. The substance of imputations in respect of which the inquiry is proposed to be held is set out in the enclosed statement of Articles of Charge (Annexure –I), Statement of imputations of misconduct or misbehavior in support of each articles of charge (Annexure.II). A list of documents by which and a list of witnesses by whom the articles of charge are proposed to be sustained are also enclosed (Annexure.III and IV).

3. Sri K. Ghane Naik, Additional Superintendent of Jails working as Superintendent (FAC), District Jail, Kurnool is hereby directed to submit a written statement of his defense, within (10) days of the date of receipt of this order.

4. Sri K. Ghane Naik, Additional Superintendent of Jails working as Superintendent (FAC), District Jail, Kurnool is informed that, an inquiry will be held only in respect of those articles of Charges that are not admitted. He should, therefore, specifically admit or deny each article of Charge.

5. Sri K. Ghane Naik, Additional Superintendent of Jails working as Superintendent (FAC), District Jail, Kurnool is further informed that, if he does not submit his written statement of defense on or before the date specified in Para (3) above further action will be processed based on the material available.

6. Attention of Sri K. Ghane Naik, Additional Superintendent of Jails working as Superintendent (FAC), District Jail, Kurnool is invited to Rule 24 of Andhra Pradesh Civil Services (Conduct) Rules, 1964, under which no Government Servant shall bring or attempt to bring any Political or outside influence to bear upon any superior authority to further his interest in respect of matters pertaining to his service under the Government. If any representation is received on his behalf from another person in respect of any matter dealt within these Proceedings it will be presumed that Sri K. Ghane Naik, Additional Superintendent of Jails working as Superintendent (FAC), District Jail, Kurnool is aware of such representation and that it has been made at his instance and action will be taken against him for violation of Rule 24 of Andhra Pradesh Civil Services (Conduct) Rules 1964.

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7. The Director General of Prisons and Correctional Services shall take further necessary action in this regard and on receipt of this order which shall be acknowledged on duplicate copy of the same with dated signature in token of having received the original by the charged officer and return the same to Government .

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

HARISH KUMAR GUPTA
PRINCIPAL SECRETARY TO GOVERNMENT

To
Sri K. Ghane Naik, Additional Superintendent of Jails working as Superintendent, District Jail, Kurnool through the Director General of Prisons and Correctional Services, Andhra Pradesh, Mangalagiri.
The Director General of Prisons and Correctional Services, Andhra Pradesh, Mangalagiri with a request to serve the memo on the Charged Officer under proper acknowledgement.

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//FORWARDED::BY ORDER//

SECTION OFFICER

ANNEXURE-I

(G.O.Rt.No.190, Home (Prisons & Fire) Department, Dated 14.02.2023)

STATEMENT OF ARTICLES OF CHARGE FRAMED AGAINST SRI K. GHANENAIK, ADDITIONAL SUPERINTENDENT OF JAILS WORKING AS SUPERINTENDENT, DISTRICT JAIL, KURNOOL

ARTICLE OF CHARGE:-

"That the said Sri K. Ghane Naik, Additional Superintendent of Jails while working as Superintendent (FAC), District Jail, Kurnool has exhibited supervisory lapses by ignoring the instructions of Deputy Inspector General of Prisons, Kadapa Range in not sealing the windows on the either side of the Administrative Building of District Jail, Kurnool, in time, which facilitated the Remand Prisoner No.7193 by name Nallabothula Kulai @ Nani to attempt and succeed to escape for the second time also on 17-03-2022 at about 07-40 AM from District Jail, Kurnool. This amounts to violation of Rule-3 of A.P. Civil Services (Conduct) Rules, 1964 and Rule No. 89 and 96(1) of Andhra Pradesh Prison Rules, 1979."

HARISH KUMAR GUPTA
PRINCIPAL SECRETARY TO GOVERNMENT

ANNEXURE-II

(G.O.Rt.No.190, Home (Prisons & Fire) Department, Dated 14.02.2023)

STATEMENT OF IMPUTATION OF MISCONDUCT IN SUPPORT OF ARTICLES OF CHARGE FRAMED AGAINST SRI K. GHANE NAIK, ADDITIONAL SUPERINTENDENT OF JAILS WORKING AS SUPERINTENDENT, DISTRICT JAIL, KURNOOL

One Remand Prisoner No.7193, Nallabothula Kulai @ Nani was admitted to District Jail, Kurnool on 16-02-2022 in Cr.No.13/2022 of Mahanandi Police Station U/s 307, 323 r/w 34 IPC on the file of Hon'ble Judicial First Class Magistrate, Nandyal, Kurnool District.

2. The said Remand Prisoner who was confined in Barrack-D of Krishna Block at District Jail, Kurnool has escaped from the prison at about 08-20 A.M. on 12-03-2022 when he was taken out for cleaning purposes, by scaling outer perimeter wall using the right side window of the Administrative Building. On that day Sri K. Ghane Naik, Superintendent (FAC), District Jail, Kurnool was availing leave and Sri M. Nagaraju, Jailor of the prison was instructed to look after the duties of Superintendent, District Jail, Kurnool in addition to his own.

3. On hearing the information of prisoner's escape, the Deputy Inspector General of Prisons, Kadapa Range rushed to District Jail, Kurnool at around 09-00 PM on 12-03-2022. By that time Sri K. Ghane Naik, Superintendent, District Jail, Kurnool has also reached Kurnool. The Deputy Inspector General of Prisons, Kadapa Range issued instructions to the Officers on how to proceed with regard to recapture of the escaped prisoner.

4. Later at around 10-45 PM on the same night, Sri K. Ghane Naik Superintendent (FAC), District Jail, Kurnool called the DIG of Prisons, Kadapa Range over phone and informed that the said Remand Prisoner was brought back to the District Jail, Kurnool by his sister at about 10-30 PM and was handed over to the prison officers.

5. On the morning of 13-03-2022, the DIG of Prisons, Kadapa Range visited District Jail, Kurnool; inspected the modus operandi of the prisoner's escape from within the prison and issued instructions to Sri K. Ghane Naik Superintendent (FAC), District Jail, Kurnool to immediately close the windows on the either sides of the Administrative Building by a wired mesh or a toughened glass to prevent any other individual from holding the window rods and trying to escape in a similar manner and to restrict the movements of the escaped prisoner to his barrack in the Prison.

6. Whereas, On 17-03-2022, Sri K. Ghane Naik Superintendent (FAC), District Jail, Kurnool had handed over his charge to Sri M. Nagaraju, Jailor, District Jail, Kurnool and attended the Regional Tender Committee meeting at Office of the DIG of Prisons, Kadapa Range, Kadapa on 17-03-2022. During the course of the meeting, Sri K. Ghane Naik Superintendent (FAC), District Jail, Kurnool got the information that the same Remand Prisoner No. 7193, Nallabothula Kulai had again escaped from District Jail, Kurnool by scaling outer perimeter wall adjacent to Administrative Building at about 07-40 AM, now from the left side of the Administrative Building in the same modus operandi which happened on 12-03-2022. The DIG of Prisons, Kadapa Range has submitted a detailed report vide his Lr. No. DIG(KR)/OS/685/2022, Dt. 30-03-2022 to the Director General of Prisons and Correctional Services, A.P.

7. Further Sri K. Ghane Naik, Superintendent (FAC), District Jail, Kurnool in his letter addressed to the Director General of Prisons and Correctional Services, A.P., vide Lr.No.DJ/KNL/Jr/480/2022, Dt. 18-03-2022 has submitted a detailed report wherein he stated that the said prisoner on 17-03-2022 at around 07-40 AM climbed the inner wall of the Tungabhadra Block, jumped over the inner wall into the PSR Path, ran in the PSR path to the Administrative Building and climbed the outer perimeter with the help of the window rods on

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the left side of the Administrative Building and jumped over the outer compound wall and that this escape by the remand prisoner was not noticed by the duty warders. Further he has stated that Sri M. Nagaraju, Jailor, District Jail, Kurnool who was standing in front of Main Gate giving instructions to A.R. Guard Sentry regarding security noticed the prisoner jumping over the outer wall and running away. The said Jailor immediately chased after the escaping prisoner along with Sri P. Anil Kumar Reddy, Deputy Jailor and Sri D.V. Suresh, Warder on motor bikes, but in vain.

8. For the above lapse, Sri K.V. Phani Bhushan Reddy and Sri M. Lakshmi Narayana, Warders of District Jail, Kurnool were placed under suspension w.e.f 18-03-2022 for being negligent in performing their legitimate duties vide Proc.No.DJ/KNL/SA/480/2022, dated 18-03-2022 and Proc.No.DJ/KNL/SA/480/2022 respectively of the Superintendent, District Jail, Kurnool. Meanwhile the escaped prisoner was recaptured by staff of Sub Jail, Giddaluru with the help from Giddaluru Police at Giddaluru and he was brought back to District Jail, Kurnool on 19-03-2022 at about 04-55 PM.

9. Whereas, an explanation was called for from Sri K. Ghane Naik, Superintendent (FAC), District Jail, Kurnool by the DIG of Prisons, Kadapa Range for his lapses resulting in escape of prisoner from District Jail, Kurnool vide Range Office, Kadapa vide Memo. No. DIG(KR)/OS/ 643/2022, dated 24-03-2022.

10. In turn, Sri K. Ghane Naik, Superintendent (FAC), District Jail, Kurnool has submitted his explanation dated 26-03-2022 wherein he stated that, on 11-03-2022, he had handed over the charge of the post of Superintendent, District Jail, Kurnool to Sri M. Nagaraju, Jailor, District Jail, Kurnool and proceeded on casual leave from 12-03-2022 to 14-03-2022 after getting his leave sanctioned from the competent authority. On 12-03-2022 at about 02-30 PM, he got information that a remand prisoner had escaped from within the Prison, and after informing the same to the superior officers, he reported back for duty at 10-20 PM on the same day. The said escaped prisoner was brought back to Jail by his sister on the same day at around 10-30 PM. On 13-03-2022, he conducted inquiry about the incident and had issued instructions to the Jailor and Deputy Jailor on security matters.

11. Further Sri K. Ghane Naik, Superintendent (FAC), District Jail, Kurnool has stated that, the DIG of Prisons, Kadapa Range during his visit to District Jail, Kurnool on 13-03-2022 issued clear instructions to put the escaped prisoner under close observation; restrict his movements and to close the windows on either side of the Administrative Building with a wired mesh or a toughened glass to prevent any other individual from holding on to the window rods and trying to escape from the prison and that as per the instructions he has closed the right window of the administrative building with cement plastering and bricks from which the prisoner escaped and material was also procured to attend the work in closing left side window of the Administrative Building. Meanwhile on 16-03-2022 evening, he had handed over the charge of Superintendent, District Jail, Kurnool to Sri M. Nagaraju, Jailor, District Jail, Kurnool and proceeded to Kadapa to attend Regional Re-Tender Committee meeting scheduled on 17-03-2022 at Office of the DIG of Prisons, Kadapa Range at Kadapa.

12. During the course of the meeting, Sri K. Ghane Naik, Superintendent (FAC), District Jail, Kurnool was in the meeting, and he got the information that the same remand prisoner who escaped from District Jail, Kurnool on 12-03-2022 had again escaped from the Jail by scaling outer perimeter wall from left side window of Administrative Building on 17-03-2022 at around 07-40 AM. Accordingly, he informed the same to the Deputy Inspector General of Prisons, Kadapa Range about the escape. Two Warders were placed under suspension who were found negligent in performance of their duties which resulted in the prisoner's escape. Further he has stated that the escaped prisoner was recaptured at Giddaluru by the Prison staff on 19-03-2022 with the help of local police and he was brought back to Jail on the same day at 04-55 PM.

Assertion from the happenings at District Jail, Kurnool and statement of Sri K. Ghane Naik, Superintendent (FAC), District Jail, Kurnool.

Instructions were already issued in 1) Circular No.SB3/788/92, dated 22-02-1993, 2) Circular No.SB3/285/98, Dt. 31-03-1998 and 3) Circular No.75/SB.2/2004, Dt. 30-01-2004 of the DG of Prisons and Correctional Services, A.P., r/w AP Prison Rules, 1979 regarding tightening of security arrangement in Jails to avoid escapes.

2. Meanwhile, when the first escape has happened on 12-03-2022, the DIG of Prisons, Kadapa Range himself had inspected the Jail on 13-03-2022 and instructed Sri K. Ghane Naik, Superintendent (FAC), District Jail, Kurnool and other Officers to close both the windows on either side of the Administrative Building to prevent further escapes and Sri K. Ghane Naik, Superintendent (FAC), District Jail, Kurnool himself has admitted that the Deputy Inspector General of Prisons, Kadapa Range has issued such instructions vide his explanation dt.26-03-2022.

3. Sri K. Ghane Naik, Superintendent (FAC), District Jail, Kurnool in his explanation dt. 26-03-2022 submitted to the DIG of Prisons, Kadapa Range has stated that after the first escape, he has permanently closed the right side window of the Administrative Building with cement plastering and bricks and further material was also procured for closing left window and in the meanwhile for the purpose of attending regional re-tender committee meeting on 17-03-2022, he had handed over the charge of the Superintendent to Sri M. Nagaraju, Jailor on 16-03-2022 and proceeded to Kadapa.

4. In this context, the DIG of Prisons, Kadapa Range has submitted a report to the DG of Prisons and Correctional Services, A.P. vide Lr. No. DIG(KR)/OS/685/2022, Dt. 30-03-2022 that it was seen from the CCTV Footage of District Jail, Kurnool that **the windows on the Administrative Building were closed with cement and bricks only on 18-03-2022 (right side) and 19-03-2022 (left side), far after the remand prisoner had escaped for the second time from the prison.** This clearly shows the supervisory lapses of Sri K. Ghane Naik, Superintendent (FAC), District Jail, Kurnool in adhering to the instructions of the superior officer and because of his delay in taking timely precautions, the prisoner had escaped from the prison for the second time in the same modus operandi. **If he had got the windows closed as instructed by the Deputy Inspector General of Prisons, Kadapa Range, the prisoner could not have escaped from the prison.**

5. By such acts of not implementing the superior officers instructions, Sri K. Ghane Naik, Superintendent (FAC), District Jail, Kurnool has exhibited disobedience and insubordination, which is unbecoming of a Government employee in the uniformed service such as the Prisons Department and his lethargy has resulted in the prisoner escaping for the second time from within the District Jail, Kurnool within a span of one week, and placing the Andhra Pradesh Prisons Department and the Government in an embarrassing situation.

6. Thus he has violated Rule-3 of A.P. Civil Services (Conduct) Rules, 1964 and Rule No. 89 and 96(1) of Andhra Pradesh Prison Rules, 1979.

Hence the **CHARGE**.

HARISH KUMAR GUPTA
PRINCIPAL SECRETARY TO GOVERNMENT

ANNEXURE-III

(G.O.Rt.No.190, Home (Prisons & Fire) Department, Dated 14.02.2023)

List of Documents by which the articles of Charge framed against Sri K. Ghane Naik, Superintendent, District Jail, Kurnool are proposed to be sustained.

1. Circular No.SB3/788/92, Dt.22-02-1993 of the Director General of Prisons and Correctional Services, Andhra Pradesh.
2. Circular No.SB3/285/98, Dt. 31-03-1998 of the Director General of Prisons and Correctional Services, Andhra Pradesh.
3. Circular No.75/SB.2/2004, Dt. 30-01-2004 of the Director General of Prisons and Correctional Services, Andhra Pradesh.
4. Lr.No.DJ/KNL/Jr/435/2022, Dt. 14-03-2022 of the Superintendent, District Jail, Kurnool.
5. Lr.No.DJ/KNL/Jr/480/2022, Dt. 18-03-2022 of the Superintendent, District Jail, Kurnool.
6. Lr.No.DJ/KNL/SA/553/2022, Dt. 26-03-2022 of the Superintendent, District Jail, Kurnool.
7. Memo. No. DIG(KR)/OS/643/2022, Dt. 24-03-2022 of the DIG of Prisons(KR), Kadapa.
8. Explanation of Sri K. Ghane Naik, Superintendent (FAC), District Jail, Kurnool dt. 26-03-2022.
9. Lr. No. DIG (KR)/OS/685/2022, Dt. 30-03-2022 of the DIG of Prisons(KR), Kadapa.
10. Rule No.3 of APCS(Conduct)Rules, 1964
11. AP Prison Rules, 1979.
12. CCTV Footage on dates 12-03-2022;17-03-2022;18-03-2022;19-03-2022

HARISH KUMAR GUPTA
PRINCIPAL SECRETARY TO GOVERNMENT

ANNEXURE-IV

(G.O.Rt.No.190, Home (Prisons & Fire) Department, Dated 14.02.2023)

List of witnesses by whom the Articles of Charges framed against Sri K. GhaneNaik, Superintendent, District Jail, Kurnool are proposed to be sustained.

1. Sri M. Nagaraju, Jailor, District Jail, Kurnool.
2. Sri P. Anil Kumar Reddy, Deputy Jailor, District Jail, Kurnool.
3. Sri K.V. Phani Bhushan Reddy, the then Warder, District Jail, Kurnool Warder presently working at Central Prison, Kadapa.
4. Sri M. Lakshmi Narayana, the then Warder, District Jail, Kurnool Warder presently working at Central Prison, Kadapa.

HARISH KUMAR GUPTA
PRINCIPAL SECRETARY TO GOVERNMENT